

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CR No. 05-1849 JH
)	
CATHY FITZGERALD,)	
)	
Defendant.)	

UNOPPOSED MOTION TO CONTINUE SENTENCING

COMES NOW the United States of America, by and through David C. Iglesias, United States Attorney for the District of New Mexico, and James R.W. Braun, Assistant U.S. Attorney for said District, and hereby moves the Court to continue the sentencing set herein on October 26, 2006, for defendant Cathy Fitzgerald, and in support thereof states as follows:

1. Sentencing is currently set for October 26, 2006, at 9:30 A.M.
2. As noted in defendant Fitzgerald's previous motion to continue sentencing, filed on July 18, 2006 (Doc. 575), the pre-sentence report ("PSR") had not been prepared because the United States was to provide the United States Probation and Pretrial Services Office ("Probation") with the offense conduct for insertion into the PSR after certain cooperating witness statements were released to all of the defendants in this case.

3. Some of the cooperating witness statements were recently released, and the United States provided Probation with the written offense conduct for defendant Fitzgerald on October 19, 2006. Probation will now need additional time in order to complete the PSR. Therefore, the parties request that the current sentencing date be vacated, and that sentencing not be reset until

after January 1, 2007.

4. Counsel for defendant Fitzgerald, Clifford McIntyre, does not oppose this motion.

WHEREFORE, the United States respectfully requests that the Court vacate the October 26, 2006, sentencing and reset this matter after January 1, 2007.

Respectfully submitted,

DAVID C. IGLESIAS
United States Attorney

/s/ James R.W. Braun

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I HEREBY CERTIFY that a true copy
of the foregoing pleading was faxed
to opposing counsel of record, Clifford
McIntyre, this 23rd day of October, 2006

/s/ James R.W. Braun

JAMES R.W. BRAUN
Assistant U.S. Attorney